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February 2, 2022

VIA ECF

Honorable Tonianne J. Bongiovanni, U.S.M.J.
United States District Court
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: *Frank Hall v. Johnson & Johnson, et al.*,
No 3:18-cv-01833-FLW-TJB

Dear Judge Bongiovanni:

Together with Lead Counsel, we represent Lead Plaintiff San Diego County Employees Retirement Association in the above-referenced litigation.¹ On December 7, 2021, at the Court's request, the Parties submitted a letter setting forth their positions regarding fact depositions that were yet to be scheduled (the "Parties' December 7 Letter"). On December 9, 2021, the Court held a telephone conference and subsequently entered a text minute entry stating: "[t]he deadline to conduct the remaining depositions as identified in the parties['] letter of 12/7/2021 is extended to 3/4/2022." We write on behalf of all Parties to respectfully request permission to depose three fact witnesses after the March 4, 2022 fact discovery deadline. Subject to the Court's approval, the parties have agreed to the following:

Charles Wajszczuk: Charles Wajszczuk, a former J&J employee, was scheduled to be deposed in January. In early January, Plaintiff needed to reschedule and could not accommodate an alternate February date that Dr. Wajszczuk offered. Dr. Wajszczuk is now unavailable until March. The Parties have met and conferred, and agree that Dr. Wajszczuk may be deposed on March 9, 2022.

¹ Defendants are Johnson & Johnson ("J&J"), Alex Gorsky, Carol Goodrich, Joan Casavieri and Tara Glasgow (collectively, "Defendants," and with Lead Plaintiff, the "Parties").

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Alex Gorsky: Alex Gorsky is the current Executive Chairman of J&J and was the Company's CEO through January 2, 2022. Defendants have informed Plaintiff that Mr. Gorsky's extensive scheduling commitments have proven challenging for scheduling options prior to March 4, 2022, but that he is available to be deposed on March 18, 2022. The Parties have met and conferred, and agree that Mr. Gorsky may be deposed on March 18, 2022.

Ernie Knewitz: Ernie Knewitz is a current J&J employee. The parties agree that given the already scheduled depositions, holding Mr. Knewitz's deposition on March 8, 2022 would allow for a more efficient discovery process.

Accordingly, the Parties jointly request that the Court indicate its permission for Lead Plaintiff to depose Charles Wajszczuk, Ernie Knewitz and Alex Gorsky after March 4, 2022, by "so ordering" this letter.

In addition, the Parties wish to notify the Court that they are continuing to negotiate the Rule 30(b)(6) deposition notice referenced in the Parties' December 7 Letter. Accordingly, the Parties do not currently have an agreed-upon date for that deposition. In the event that the Parties anticipate that deposition needing to take place after the March 4, 2022 fact discovery deadline, they will notify the Court as soon as possible.

Respectfully submitted,

CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.

s/ James E. Cecchi
JAMES E. CECCHI

JC:slh